

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 1400-01  
Bill No.: HB 658  
Subject: Cities, Towns, and Villages; Easements and Conveyances  
Type: Original  
Date: March 1, 2013

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Bill Summary: This proposal authorizes the City of Florissant to charge a reasonable fee to pay for costs associated with the maintenance of right-of-ways and easements.

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
FUND AFFECTED	FY 2014	FY 2015	FY 2016
<b>Total Estimated Net Effect on General Revenue Fund</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>			
FUND AFFECTED	FY 2014	FY 2015	FY 2016
Road Fund	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)
<b>Total Estimated Net Effect on <u>Other</u> State Funds</b>	<b>\$0 or (Unknown)</b>	<b>\$0 or (Unknown)</b>	<b>\$0 or (Unknown)</b>

Numbers within parentheses: ( ) indicate costs or losses.  
This fiscal note contains 5 pages.

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
FUND AFFECTED	FY 2014	FY 2015	FY 2016
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)</b>			
FUND AFFECTED	FY 2014	FY 2015	FY 2016
<b>Total Estimated Net Effect on FTE</b>	<b>0</b>	<b>0</b>	<b>0</b>

☒ Estimated Total Net Effect on All funds expected to exceed \$100,000 savings or (cost).

☐ Estimated Net Effect on General Revenue Fund expected to exceed \$100,000 (cost).

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
FUND AFFECTED	FY 2014	FY 2015	FY 2016
<b>Local Government*</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

\* Revenues and Expenditures net to zero

## **FISCAL ANALYSIS**

### **ASSUMPTION**

#### **§ 81.300 - City of Florissant Right-of-Way and Easement Maintenance Fees:**

Officials from the **Department of Transportation (DHT)** anticipate an unknown negative impact if the department is assessed a fee for mowing from the City of Florissant. However, DHT states they are unable to determine from the proposal if the language assesses a fee to DHT or another department.

**Oversight** is unable to determine what easements in the City of Florissant are primarily used by state agencies. For the purpose of the fiscal note, Oversight will only show a potential loss to DHT and the road fund since many roads are located in the City of Florissant with right-of-ways and easements but other state agencies could be impacted by this proposal.

**Oversight** assumes the City of Florissant will set its fees to state agencies equal to its costs for maintenance of easements and right-of-ways primarily used by state agencies.

Officials from the **Department of Conservation, Department of Natural Resources** and **Office of Administration** each assume the proposal would not fiscally impact their respective agencies.

Officials from the City of Florissant and St. Louis County did not respond to **Oversight's** request for fiscal impact.

<u>FISCAL IMPACT - State Government</u>	FY 2014 (10 Mo.)	FY 2015	FY 2016
<b>ROAD FUND</b>			
<u>Cost - DHT</u>			
§ 81.300 - City of Florissant maintenance of right-of-ways and easements used by DHT	<u>\$0 or</u> (Unknown)	<u>\$0 or</u> (Unknown)	<u>\$0 or</u> (Unknown)
<b>ESTIMATED NET EFFECT ON THE ROAD FUND</b>	<u><u>\$0 or</u></u> (Unknown)	<u><u>\$0 or</u></u> (Unknown)	<u><u>\$0 or</u></u> (Unknown)
 <u>FISCAL IMPACT - Local Government</u>	 FY 2014 (10 Mo.)	 FY 2015	 FY 2016
<b>LOCAL GOVERNMENT FUNDS</b>			
<u>Revenue - City of Florissant</u>			
§ 81.300 - Fees assessed to DHT for maintenance of easements and right-of- ways	\$0 or Unknown	\$0 or Unknown	\$0 or Unknown
<u>Expense - City of Florissant</u>			
§ 81.300 - maintenance of right-of- ways and easements used by DHT	<u>\$0 or</u> (Unknown)	<u>\$0 or</u> (Unknown)	<u>\$0 or</u> (Unknown)
<b>ESTIMATED NET EFFECT ON LOCAL GOVERNMENT FUNDS</b>	<u><u>\$0</u></u>	<u><u>\$0</u></u>	<u><u>\$0</u></u>

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

### FISCAL DESCRIPTION

#### § 81.300 - City of Florissant Right-of-Way and Easement Maintenance Fees:

This proposal authorizes the City of Florissant to set and collect reasonable fees in an amount sufficient to maintain any right-of-way or easement located within the city that is primarily utilized by a state agency.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

### SOURCES OF INFORMATION

Department of Transportation  
Department of Conservation  
Office of Administration  
Department of Natural Resources

#### **Not Responding:**

City of Florissant  
St. Louis County



Ross Strobe  
Acting Director  
March 1, 2013